

CHAPTER 7 BUILDING REGULATION¹

ARTICLE 7-1 ADOPTION OF BUILDING CODES

7-1-1	Title and Purpose
7-1-2	Application
7-1-3	Rules and Definitions
7-1-4	Adoption of Specific Codes
7-1-5	Building Code Administration
7-1-6	Applications for Permits
7-1-7	Variances from Code
7-1-8	Appeals to Board of Appeals
7-1-9	Violations
7-1-10	Penalties and Enforcement
7-1-11	Liability
7-1-12	Conflicting Provisions
7-1-13	Severability

Section 7-1-1 Title and Purpose.

This chapter may be cited and referred to collectively as the Maricopa Building Code. The purpose of this chapter is to enact rules and procedures to regulate the quality, type of material and workmanship of all aspects of construction and maintenance of buildings or structures within the incorporated areas of the City of Maricopa.

Section 7-1-2 Application.

This chapter shall apply to the construction, repair, additions to, installation and maintenance of all buildings, structures, and property appurtenant thereto, within the incorporated areas of the City of Maricopa, except as otherwise provided by statute, regulation or ordinance.

Section 7-1-3 Rules and Definitions

The following rules and definitions shall be used when interpreting the provisions of this chapter and the Codes adopted thereby. If the definitions provided herein conflict in any way with the definitions of the Codes adopted in section 7-1-4 herein, the definitions set forth in this section shall prevail.

- A) Administrative Authority - When used in the Codes, "Administrative Authority" shall mean the Maricopa Building Official, Code Official, Planning Director or City Council as appropriate.
- B) Board of Appeals - When used in the Codes or this Chapter, the term "Board of Appeals" shall refer to a board comprised by the City Council and Mayor or such other board or boards as may be commissioned by the City Council and Mayor to fulfill such duties from time to time. The Board(s) of Appeals shall be the sole entity to hear appeals from the decisions of the Building Official, determine the suitability of alternative materials and constructions and to permit interpretations of the provisions of the Codes (but not administrative provisions of the Codes). References to any other boards in the Codes shall have no force and effect unless such boards

BUILDING REGULATION

are specifically appointed and commissioned pursuant to this paragraph and are hereby superseded by this section.

- C) Codes - "Codes" shall mean the codes listed and adopted in Section 7-1-4 of this Article.
- D) "Building Official," "Code Official," "Mechanical Inspector" and "Chief Electrical Inspector" shall each mean the Building Official as established by section 7-1-5 of this article, or such other person as may be charged with the enforcement of the Codes by the City Council and Mayor from time to time.
- E) Commercial - When used herein, the word "Commercial" refers to the use of a building, addition or structure for business, religious, educational, institutional, recreational, industrial or any other non-residential purpose.
- F) Jurisdiction - The term "Jurisdiction" shall mean the incorporated areas of the City of Maricopa.
- G) Non-Commercial - "Non Commercial" refers to the use of a building, structure or addition for a residential purpose.
- H) References to chapters, articles, sections, subsections, paragraphs, subparagraphs and tables, unless otherwise specified, refer to the Codes set forth in section 7-1-4 of this article.

Section 7-1-4 Adoption of Specific Codes

Section 7-1-4-1 Adoption of International Building Code

- A. That certain document entitled and known as "The International Building Code, 2000 Edition," published by the International Code Council, together with appendices C and I thereto, is hereby adopted as the Building Code of the City of Maricopa and made a part of this chapter the same as though said code was specifically set forth in full herein, with changes and amendments to the code as set forth in subsection B. At least three copies of said code shall be filed in the office of the city clerk and kept available for public use and inspection.
- B. Amendments to the Building Code.
 - 1. **Amend Section 101.1** Title, by adding the following in the insert: City of Maricopa.
 - 2. **Amend Section 101.2** by adding Exceptions as follows:

"EXCEPTIONS: The provisions of this Article shall not apply to any of the following:

"1. Detached one- and two-family dwellings and multiple single family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the International Residential Code.

BUILDING REGULATION

"2. Radio and television antennae towers or light standards not exceeding 35 feet in height.

"3. Amusement devices and structures, including merry-go-rounds, ferris wheels, rotating conveyances, slides, similar devices and accessory structures whose use is necessary for the operation of such amusement devices and structures; any accessory structure included in the provisions of this sub-section shall be limited to a cover or roof over each device, but shall not include any storage building or detached structure which is not an integral part of the device.

"4. Storage Tanks resting in or upon the ground and if installed in accordance with the requirements of the Fire Department.

"5. Works of art not over 6 feet (1829 mm) in height and their foundation and supporting structure, provided that no part of which is intended to be occupied or used as shelter."

3. **Amend the heading of Section 103 Department of Building Safety** by changing the title thereto to "Building Official."

4. **Amend Section 105.2** by adding Item 14 as follows:

14. Roof covering.

5. **Amend Section 108.2** as follows:

"108.2 Schedule of permit fees. Building permit fees shall be assessed in accordance with Table 1-A. For electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the applicable schedule. "

6. **Amend Section 111 Service Utilities** by adding a new subsection as follows:

"111.4 Utility Company Agreement. Inspection of service equipment and related apparatus will be required prior to re-connection of electrical power or gas service for all buildings that have been vacant more than six months."

7. **Amend Section 115 Unsafe structures and equipment** to read:

"115.1 General. All buildings or structures which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard or are otherwise dangerous to human life, or which in relation to existing use constitutes a hazard to safety or health, or public welfare, by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, or abandonment, as specified in this code or any other effective ordinance, are for the purpose of this section, unsafe buildings. All such unsafe buildings are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure specified in Sections 115.2, 115.3, 115.4 and 115.5.

"115.1.2 Unsafe buildings appendages. Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members which are supported by, attached to, or a part of a building and which are in a deteriorated

BUILDING REGULATION

condition or are otherwise unable to sustain the design loads which are specified in this code, are hereby designated as unsafe building appendages. All such unsafe building appendages are public nuisances and shall be abated in accordance with Section 115 of this code.

"115.2 Notice to owner. The building official shall examine or cause to be examined every building or structure or portion thereof reported as dangerous or damaged and, if such is found to be an unsafe building as defined in this section, the building official shall give to the owner of such building or structure written notice stating the defects thereof. This notice may require the owner or person in charge of the building premises, within 48 hours, to commence either the required repairs or improvements or demolition and removal of the building or structure or portions thereof, and all such work shall be completed within 90 days from the date of notice, unless otherwise stipulated by the building official. If necessary, such notice also shall require the building, structure or portion thereof to be vacated forthwith and not reoccupied until the required repairs and improvements are completed, inspected, and approved by the building official.

"Proper service of such notice shall be by personal service upon the owner of record, if he shall be found within the city limits. If he is not found within the city limits, such service may be made upon said owner by registered mail or certified mail, the designated period within which said owner or person in charge is required to comply with the order of the building official shall begin as of the date he receives such notice.

"115.3 Post of signs. The building official shall cause to be posted at each entrance to such building a notice to read: "DO NOT ENTER, UNSAFE TO OCCUPY. City of Maricopa." Such notice shall remain posted until the required repairs, demolition or removal are completed. Such notice shall not be removed without written permission of the building official and no person shall enter the building except for the purpose of making the required repairs or of demolishing the building.

"115.4 Right to demolish. In case the owner shall fail, neglect or refuse to comply with the notice to repair, rehabilitate, or to demolish and remove said building or structure or portion thereof, the City Council may order the owner of the building prosecuted as a violator of the provisions of this code and may order the building official to proceed with the work specified in such notice.

"115.5 Costs. Costs incurred under Section 115.4 shall be paid out of the City Treasury and shall be charged to the owner and collected by the Finance Director in the manner specified in the Maricopa City Code."

8. **Table 1-A, Building Permit Fees** is hereby added as follows:

"Table 1-A --Building Permit Fees

FOR ISSUING EACH PERMIT	\$10.00
IN ADDITION, FOR:	

BUILDING REGULATION

TOTAL VALUATION ¹	FEE
\$1.00 TO \$500.00	\$23.50
\$501.00 TO \$2,000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.25 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00 or fraction thereof
<p>Other Inspections and Fees:</p> <ol style="list-style-type: none"> 1. Inspections outside of normal business hours: \$70.00 per hour² (minimum charge - two hours) 2. Reinspection fees assessed under provisions of Section 305(g): . . . \$70.00 per hour² 3. Inspections for which no fee is specifically indicated: \$70.00 per hour² (minimum charge: one-half hour) 4. Additional plan review required by changes, additions or revisions to approved plans: \$95.00 per hour² (minimum charge - one-half hour)" 5. For use of outside consultants to provide Development Services: Actual Costs³ X 1.25 	

BUILDING REGULATION

1. Valuations shall be determined using the current building valuation data published by ICBO/ICC.
 2. Or the total hourly cost to the jurisdiction X 1.25, whichever is greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.
 3. Actual costs include administrative and overhead costs.
-
9. **Amend Section 1612.3 Establishment of Flood Hazard Areas**, by deleting the phrase “in an engineering report entitled ‘The Flood Insurance Study for [Insert Name of Jurisdiction]’, dated [Insert date of issuance].” and replace it with “for the Jurisdiction.”
 10. **Amend Section 2304.11.6 Termite Protection** by adding new paragraphs after the last sentence as follows:

“Within the perimeter of the foundation of any building which requires a building permit, the base course of all fill which is used to support a concrete slab shall be treated against termite infestation. The soil treatment shall be applied by a duly licensed applicator in accordance with the rules and regulations of the Arizona Structural Pest Control Commission.

“Termite retardant chemicals shall be applied prior to placing the concrete. If the soil has been treated and the fill is disturbed prior to pouring the slab, or if the concrete, is not poured within the time limit specified for the chemical used, the soil must be retreated according to the same standards. If a concrete slab has been poured prior to pre-treatment, the site must be treated in accordance with the rules and regulations references herein above.

“EXCEPTION: Buildings accessory to Group R, Division 3 and buildings with floors and walls built of metal, masonry, concrete or other non-wood product.

“Certification of such soil treatment shall be furnished to the Building Official when requested and shall include the name of the applicator, state license number, chemical used, time and location of application and length of warranty.”
 11. **Amend Section 3001 General** by adding a sentence at the end of the paragraph as follows:

“See Article 12, Chapter 2, Title 23, Arizona Revised Statutes for additional requirements.”
 12. **Amend Section 3409.2 Applicability** by including the following language in the Insert: “the initial effective date of the ordinance first adopting this version of the Code” and deleting the Note thereto.
 13. **Amend Chapter 35 Referenced Standards** by replacing all references to the International Plumbing Code with the corresponding sections of the Arizona State Plumbing Code, unless a variance to allow use of the International Plumbing Code is appropriate under the terms of this Chapter.

BUILDING REGULATION

Section 7-1-4-2 Adoption of International Residential Code

A. That certain document entitled and known as "The International Residential Code, 2000 Edition," published by the International Code Council, together with appendices A, B, C, G, H and J thereto, is hereby adopted as the Residential Building Code of the City of Maricopa and made a part of this chapter the same as though said code was specifically set forth in full herein, with changes and amendments to the code as set forth in subsection B. At least three copies of said code shall be filed in the office of the city clerk and kept available for public use and inspection.

B. Amendments to the Residential Building Code.

1. **Amend Section 101.1 Title**, by adding the following in the insert: City of Maricopa.
2. **Amend** the heading of **Section 103 Department of Building Safety** by changing the title thereto to "Building Official."
3. **Amend Section 103.1 Creation of Enforcement Agency** by replacing the entire text of that section with the following language: "The Building Official or other Code Official or their designee shall be the person responsible for the enforcement of the provisions of this Code."
4. **Amend Section R105.2 Work exempt from permit** by adding a new item 10 as follows:
 10. Patio and Porch covers not exceeding 120 square feet of projected roof area with a maximum depth of 8 feet. Provided such cover:

Is constructed as an addition, uses minimum of 2"x 6" rafter material and 4"x 4" posts with beams securely fastened, and the attached end of rafter is supported by existing bearing wall and not from the fascia, and the proposed roof does not encroach on the required yard setbacks.
5. **Amend Section R108.2 Fees** to read as follows:

"R108.2 Schedule of permit fees. Building permit fees shall be assessed in accordance with Table 1-A. Electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the applicable schedule. "
6. **Insert Table 1-A** as follows:

"Table 1-A – Residential Building Permit Fees

FOR ISSUING EACH PERMIT	\$10.00
-------------------------	---------

BUILDING REGULATION

IN ADDITION, FOR: TOTAL VALUATION ¹	FEE
\$1.00 TO \$500.00	\$23.50
\$501.00 TO \$2,000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.25 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00 or fraction thereof

BUILDING REGULATION

Other Inspections and Fees:

1. Inspections outside of normal business hours: \$70.00 per hour²
(minimum charge - two hours)
2. Reinspection fees assessed under provisions of Section 305(g): . . . \$70.00 per hour²
3. Inspections for which no fee is specifically indicated: \$70.00 per hour²
(minimum charge: one-half hour)
4. Additional plan review required by changes, additions or
revisions to approved plans: \$95.00 per hour²
(minimum charge - one-half hour)"
5. For use of outside consultants to provide Development Services:... Actual Costs³ X 1.25

1. Valuations shall be determined using the current building valuation data published by ICBO/ICC.
2. Or the total hourly cost to the jurisdiction X 1.25, whichever is greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.
3. Actual costs include administrative and overhead costs.

7. **Amend Section R111 Service Utilities** by adding a new subsection as follows:

"R111.4 Utility Company Agreement. Inspection of service equipment and related apparatus will be required prior to re-connection of electric power or gas service for all buildings that have been vacant more than six months."

8. **Table R301.2(1)2304.11.6** is hereby amended by inserting the following:

Roof Snow Load - None
Wind Speed - 75 mph
Seismic Category - C
Weathering - Negligible
Frost line depth - 12"
Termite - Moderate to Heavy
Decay - None to Slight

9. **Amend Section R301.2.2** by deleting the exception relating to detached one- and two family dwellings.
10. **Amend Section R303.6** by revising the title to read "Required Heating and Cooling" and by adding the following sentence to the end of the paragraph:

"Every dwelling unit and guest room shall be provided with cooling facilities capable of maintaining a room temperature of not more than 80E F (62EC.) at a point 3 feet above the floor in all habitable rooms under the average local climate conditions."
11. **Amend Section R309.1 Opening Protection** by adding the following after the last sentence: "Doors providing opening protection shall be maintained as self-closing and self-latching."

BUILDING REGULATION

12. **Amend Section R317.1 Single and multiple-station smoke alarms** by adding item 4 as follows:

“4. Where the ceiling height of a room open to the hallway servicing bedrooms exceeds that of the hallway by 24 inches or more. Smoke detectors shall be installed in the hallways and in the adjacent room.”

13. **Amend Section R324.2 Chemical soil treatment** by adding new paragraphs after the last sentence as follows:

“Within the perimeter of the foundation of any building which requires a building permit, the base course of all fill which is used to support a concrete slab shall be treated against termite infestation. The soil treatment shall be applied by a duly licensed applicator in accordance with the rules and regulations of the Arizona Structural Pest Control Commission.

“Termite retardant chemicals shall be applied prior to placing the concrete. If the soil has been treated and the fill is disturbed prior to pouring the slab, or if the concrete, is not poured within the time limit specified for the chemical used, the soil must be retreated according to the same standards. If a concrete slab has been poured prior to pre-treatment, the site must be treated in accordance with the rules and regulations references herein above.

“EXCEPTION: Buildings accessory to Group R, Division 3 and buildings with floors and walls built of metal, masonry, concrete or other non-wood product.

“Certification of such soil treatment shall be furnished to the Building Official when requested and shall include the name of the applicator, state license number, chemical used, time and location of application and length of warranty.”

14. **Amend Section R903.4.1, Overflow drains and scuppers** by adding the following sentence to the last paragraph:

“The roof drain and overflow drain may connect at a point not less than 8 feet below the roofline to provide a single drain line to exit the building.”

15. **Amend Section E4101.2 Definitions** by changing the references to 42 inches in the definition of PERMANENTLY INSTALLED SWIMMING AND WADING POOLS and to 24 inches in the definition of STORABLE SWIMMING OR WADING POOLS.

16. **Amend Chapter 43 Referenced Standards** by replacing all references to the International Plumbing Code with the corresponding sections of the Arizona State Plumbing Code, unless a variance to allow use of the International Plumbing Code is appropriate under the terms of this Chapter.

17. **Amend Appendix, Chapter G, Section AG105 Barrier Requirements** by adding the following subsection

“AG105.6. Landscaping features. Landscape features such as raised planters or re-circulating waterfalls, et cetera, may be permitted to interrupt the perimeter

BUILDING REGULATION

deck at the discretion of the building official, with consideration for the pool depth at the point of obstruction, the width of the interrupting feature, and rescue accessibility.

Section 7-1-4-3 Adoption of International Property Maintenance Code

A. That certain document entitled and known as “The International Property Maintenance Code, 2000 Edition,” published by the International Code Council is hereby adopted as the Property Maintenance Code of the City of Maricopa and made a part of this chapter the same as though said code was specifically set forth in full herein, with changes and amendments to the code as set forth in subsection B. At least three copies of said code shall be filed in the office of the city clerk and kept available for public use and inspection.

B. Amendments to the Property Maintenance Code.

1. **Amend Section 101.1 Title**, by adding the following in the insert: City of Maricopa.
2. **Amend Section 103.6 Fees** by placing the following in the insert at the end: “Maricopa Building Code, Table 1-A, Building Permit Fees”
3. **Delete Section 302.3 Sidewalks and driveways** in its entirety.
4. **Delete Section 302.4 Weeds** in its entirety.
5. **Delete Section 302.8 Motor vehicles** in its entirety.
6. **Delete Section 302.9 Defacement of property** in its entirety.
7. **Delete Section 303.2 Protective treatment** in its entirety.
8. **Delete Section 303.14 Insect screen** in its entirety.
9. **Amend Section 304.3 Interior surfaces** by deleting all the text after the first sentence.
10. **Amend the Title to Section 602** by adding the words “and COOLING”, after HEATING.
11. **Amend Section 602.3 Heat supply** by adding the following in the inserts: “September to May”
12. **Add a new Section 602.3.1** to read as follows:

Section 602.3.1 Cooling. In addition to the requirements of Section 602.3. cooling facilities shall be capable of maintaining a temperature of not greater than 80 degrees.

BUILDING REGULATION

13. **Amend Section 302.4** by adding the following in the insert: "September to May."
14. **Amend Chapter 8, Referenced Standards** by (a) deleting the reference to the International Zoning Code and (b) adding a new standard as follows:

All references to the International Zoning Code shall be deleted and replaced with "The City of Maricopa Zoning Code."

All references to the International Plumbing Code shall be replaced with the corresponding sections of the Arizona State Plumbing Code, unless a variance to allow use of the International Plumbing Code is appropriate under the terms of this Chapter.

Section 7-1-4-4 Adoption of International Mechanical Code

- A. That certain document entitled and known as "The International Mechanical Code, 2000 Edition," published by the International Code Council is hereby adopted as the Mechanical Code of the City of Maricopa and made a part of this chapter the same as though said code was specifically set forth in full herein, with changes and amendments to the code as set forth in subsection B. At least three copies of said code shall be filed in the office of the city clerk and kept available for public use and inspection.
- B. Amendments to the Mechanical Code.
 1. **Amend Section 101.1 Title**, by adding the following in the insert: City of Maricopa.
 2. **Amend the heading of Section 103 Department of Mechanical Inspection** by changing the title thereto to "Building Official."
 3. **Amend Section 103.1 Creation of Enforcement Agency** by replacing the entire text of that section with the following language: "The Building Official or other Code Official or their designee shall be the person responsible for the enforcement of the provisions of this Code."
 4. **Amend Section 106.5.2 Fee Schedule** by placing the following in the insert at the end: "Maricopa Building Code, Table 1-A, Building Permit Fees."
 5. **Delete Section 108.4** in its entirety.
 6. **Amend Section 108.5 Stop Work Orders** by deleting all language after the words "unsafe conditions" and replacing it with the following language: "shall be guilty of a violation of this code and subject to the penalties set forth by the authority with jurisdiction for violations thereof."
 7. **Delete Sections 109.2 through 109.7** in their entirety.

BUILDING REGULATION

8. **Amend Section 303.3** by deleting the following words at the end of the first sentence “floor surface on which the equipment or appliance rests” and replacing it with the words “garage floor.”
9. **Amend Section 304.9 Guards** by adding an exception at the end of the paragraph as follows:

Exception: The requirements of this Section shall not apply to one and two-family dwellings.
10. **Amend Section 306.6 Sloped Roofs** by adding an exception at the end of the paragraph as follows:

Exception: The requirements of this Section shall not apply to one and two-family dwellings.
11. **Amend Section 309.1 Space Heating Systems** by adding the words “and Cooling” after Heating so the title reads “Heating and Cooling Systems.” Add the following sentence to the end of the paragraph:

“Such spaces shall also be provided with a cooling system capable of maintaining a maximum indoor temperature of 80° F (62° C) at a point three feet above the floor.”

Section 7-1-4-5 Adoption of Arizona State Plumbing Code

- A. That certain document entitled and known as “The Arizona State Plumbing Code,” as adopted by the Arizona Uniform Plumbing Code Commission, and as published by the International Association of Plumbing and Mechanical Officials, with amendments as published by the Arizona Secretary of State in the Arizona Administrative Code, Title 4, Chapter 48, is hereby adopted as the Plumbing Code of the City of Maricopa and made a part of this chapter the same as though said code was specifically set forth in full herein, with changes and amendments to the code as set forth in subsection B. At least three copies of said code shall be filed in the office of the city clerk and kept available for public use and inspection.
- B. Amendments to the Plumbing Code.
 1. As permitted by Arizona Revised Statutes Sections 9-805(B) and 41-619, the International Plumbing Code, 2000 Edition, as published by the International Code Council, subject to the following amendments, may be used, on an individual project basis, as a substitute and variance where deemed appropriate by the Building Official:
 - (A) Delete Section 304 in its entirety.
 - (B) Delete Section 309 in its entirety.
 - (C) Amend Section 917.3 by deleting the first sentence and replacing it with the following sentence:

BUILDING REGULATION

When approved by the building official, individual, branch and circuit vents may be permitted to terminate with a connection to an air admittance valve.

2. As permitted by Arizona Revised Statutes Sections 9-805(B) and 41-619, the International Fuel Gas Code, 2000 Edition, as published by the International Code Council, subject to the following amendments, may be used, on an individual project basis, as a substitute and variance where deemed appropriate by the Building Official:

- (A) Amend Section 409.9 Minimum Burial Depth as follows:

Underground metallic piping systems shall be installed a minimum depth of 12 inches (305mm) below grade, except as provided for in Section 404.9.1. Plastic piping shall be installed a minimum of 18 inches (457mm) below grade.

Section 7-1-4-6 Adoption of National Electric Code

- A. That certain document entitled and known as "National Electric Code, 1999 Edition," published by the National Fire Protection Association is hereby adopted as the Electric Code of the City of Maricopa and made a part of this chapter the same as though said code was specifically set forth in full herein, with changes and amendments to the code as set forth in subsection B. At least three copies of said code shall be filed in the office of the city clerk and kept available for public use and inspection.

B. Amendments to the Electric Code.

1. **Amend Section 90-4** by adding a new subsection as follows:

(a) Electrical Permit Fees. Permit fees shall be in accordance with the City of Maricopa Electrical Permit Fee Schedule.

2. **Amend Section 210.5** by adding the following subsection:

(C) Ungrounded Conductors. Branch circuits shall conform to the following color code:

Volts	Phase	System	Phase A	Phase B	Phase C
120/240	3	WYE	Black	Red	Blue
227/480	3	WYE	Brown	Orange	Yellow
120/240	3	DELTA	Black	Orange	Red

3. **Amend Section 230.70(a)** by adding the following paragraph at the end of the section:

The service equipment shall be permitted to be located more than 30ft from the building.

BUILDING REGULATION

Section 7-1-4-7 Adoption of International Electrical Code, Administrative Provisions

- A. That certain document entitled and known as “The International Electrical Code, Administrative Provisions, 2000 Edition,” published by the International Code Council is hereby adopted and made a part of this chapter the same as though said code was specifically set forth in full herein, with changes and amendments to the code as set forth in subsection B. At least three copies of said code shall be filed in the office of the city clerk and kept available for public use and inspection.
- B. Amendments to the International Electrical Code Administrative Provisions.
 - 1. **Amend Section 101.1 Title**, by adding the following in the insert: City of Maricopa.
 - 2. **Amend Section 404.2 Schedule of Permit Fees** by placing the following in the insert at the end: The City of Maricopa Electrical Fee Permit Schedule or other appropriate fee schedule adopted by the City of Maricopa.
 - 3. **Delete Section 1102 Membership** in its entirety.
 - 4. **Delete Sections 1103.2 through 1103.7** in their entirety.

Section 7-1-4-8 Adoption of Uniform Swimming Pool, Spa and Hot Tub Code

- A. That certain document entitled and known as “Uniform Swimming Pool, Spa and Hot Tub Code, 2000 Edition,” published by the International Association of Plumbing and Mechanical Officials, is hereby adopted as the Swimming Pool, Spa and Hot Tub Code of the City of Maricopa and made a part of this chapter the same as though said code was specifically set forth in full herein. At least three copies of said code shall be filed in the office of the city clerk and kept available for public use and inspection.

Section 7-1-4-9 Adoption of International Energy Code

- A. That certain document entitled and known as “International Energy Code, 2000 Edition,” published by the International Code Council, is hereby adopted as the Energy Code of the City of Maricopa and made a part of this chapter the same as though said code was specifically set forth in full herein with changes and amendments to the code as set forth in subsection B. At least three copies of said code shall be filed in the office of the city clerk and kept available for public use and inspection.
- B. Amendments to Energy Code.
 - 1. **Amend Section 101.1 Title** by adding the following in the insert: City of Maricopa.

BUILDING REGULATION

Section 7-1-5 Building Code Administration

- A. The Position of the Building Official is an administrative position and shall be an exempt position. Said administrator shall be responsible for the administration and enforcement of the Codes and this Chapter and shall be appointed by the City Manager, with the approval of the City Council.
- B. The City Manager shall appoint and remove such other inspectors and employees as he/she deems appropriate within the requirements of the City of Maricopa personnel rules and budget restrictions.
- C. The Building Official shall keep careful and comprehensive records of applications for permits, of permits issued, of inspections made, of revenue received, of reports rendered and of notices or orders issued. The Building Official shall further retain on file copies of all documents in connection with building work for the minimum time required by the Codes or other laws, or for such additional time as he or she deems necessary and prudent.
- D. The Building Official may adopt such rules and regulations as he/she deems necessary to secure the public health, safety and general welfare; to implement the provisions of this Chapter and to carry out its intent. All such rules and regulations shall require the approval of the City Manager and shall be subject to review and amendment by the City Council. No rules or regulations adopted pursuant to this Section shall have the effect of waiving the technical requirements stipulated in the Codes or of violating accepted engineering practices involving public safety.

Section 7-1-6 Applications for Permits

The Building Official may require with an application for a building permit whatever data and information is deemed necessary to reasonably determine that the proposed work is in compliance with requirements of the Codes and other pertinent laws and ordinances.

Section 7-1-7 Variances from Code

The Building Official may grant a variance to the Codes as permitted therein or, if the Codes do not specifically provide for a variance procedure the Building Official may nonetheless grant a variance from the use of materials or methods set forth in the Codes when unnecessary hardship or a result inconsistent with the general intent of the Codes to provide for the safety of occupants will occur as a result of its strict or literal interpretation.

Section 7-1-8 Appeals to Board of Appeals

A person shall have the right to appeal a decision of the Building Official to the Board of Appeals as set forth in the Codes or, if the Codes do not specifically provide for the right of appeal, in any case where the person claims that the provisions of the Codes have been incorrectly interpreted, do not fully apply, an equally good or better form of construction is proposed, or that an undue hardship would occur if the Codes were strictly applied and the

BUILDING REGULATION

variance requested would not adversely impact the safety of the occupants, neighbors, property or City in general.

Section 7-1-9 Violations

It is unlawful for any person, firm, corporation, entity or enterprise to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building, structure or property in the Jurisdiction, or cause the same to be done, contrary to or in violation of any of the provisions of this Chapter or the Codes adopted herein.

Section 7-1-10 Penalties and Enforcement

A. Criminal Penalties.

1. Any person, as defined in the Building Code, Section 202, who violates any provision of this chapter shall be guilty of a Class One (1) misdemeanor, punishable as set forth in this code and state law.
2. Each failure to obtain a required permit clearance, certification, review, approval or inspection shall constitute a separate violation.

B. Civil Penalties.

1. Any person, as defined in the Building Code, Section 202, or enterprise, as defined pursuant to Arizona Revised Statutes Section 13-105, who violates any provision of this chapter shall be subject to a civil penalty, as an alternative method of enforcing this chapter.
2. No person shall be subject to a criminal penalty for a violation enforced under the civil penalty provisions of this section.
3. The amount of the civil penalty for the violation of this chapter shall be determined by the city magistrate, subject, however, to the directions of the city council which may, but is not required to, establish a schedule of such penalties. Said penalties shall not exceed the amount of One Thousand (\$1,000) Dollars for an individual or Ten Thousand (\$10,000) Dollars for an enterprise for each offense.
4. Any person alleged to be subject to a civil penalty under this section shall be entitled to an administrative hearing regarding their liability and a review of that decision by the city council if requested in writing within seven days of the decision at the administrative hearing. The administrative hearing shall take place before the city magistrate, subject to any rules of procedure for the same as may be adopted by the city council from time to time.

C. Other Methods of Enforcement

The city council, the city attorney, the building official, or any adjacent or neighboring property owner who shall be especially damaged by the violation of any provision of this

BUILDING REGULATION

chapter, may initiate other remedies provided by law (e.g. an injunction, writ of mandamus, abatement) or any other appropriate action, proceeding or proceedings to prevent, abate or remove such violation of this chapter.

D. Separate Offenses.

Any person, firm, corporation or other enterprise as defined above violating this chapter shall be deemed guilty of a separate offense for each and every day during which a violation of the provisions of this chapter is committed, continued or permitted.

Section 7-1-11 Liability

Neither the board of appeals, the building official or any other officer or employee charged with the enforcement of this chapter, while acting in good faith, without malice and for the jurisdiction, shall be rendered liable personally, and are hereby relieved of all personal liability for any damage accruing to persons or property as a result of an act or failure to perform an act required or permitted in the discharge of official duties.

Section 7-1-12 Conflicting Provisions

- A. Where, in any specific case, different sections of the Codes or city code specify the use of different materials, different construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general and specific requirement, the specific requirement shall be applicable.
- B. Notwithstanding the foregoing, if there is a conflict between a portion the plumbing code and any other code adopted herein, the provisions of the plumbing code shall govern unless a variance is granted thereto.

Section 7-1-13 Severability

If any section, subsection, clause, phrase or portion of this chapter, or any part of the codes adopted by reference herein, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion thereof.